

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

TOJUNDA MCCLAIN,

Plaintiff(s),

vs.

OUR LITTLE HAVEN,

Defendant(s).

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Case No. 4:11CV01229 JCH

ORDER

This matter is before the Court on Plaintiff's Motion to Dismiss All Federal Charges, filed November 4, 2011. (ECF No. 22). Defendant did not file a response. Plaintiff seeks the dismissal of all federal claims against Defendant and the remand of this matter back to the Circuit Court of St. Louis, State of Missouri. While the Court may dismiss Plaintiff's federal claims, the Court is unable to return this matter to the Circuit Court of St. Louis. On the face of the record before the Court, there was a basis for removing this matter to federal court. Therefore, the Court does not have the authority to remand this matter upon the dismissal of Plaintiff's federal claims.

Accordingly,

IT IS HEREBY ORDERED that Plaintiff's Motion to Dismiss All Federal Charges (ECF No. 22) is **DENIED**.

Dated this 30th day of November, 2011.

/s/Jean C. Hamilton

UNITED STATES DISTRICT JUDGE